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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/838,554	04/20/2001	Toshiya Yamada	P107359-00001	8758
23353	7590	12/15/2005	EXAMINER	
RADER FISHMAN & GRAUER PLLC			SERROU, ABDELALI	
LION BUILDING			ART UNIT	
1233 20TH STREET N.W., SUITE 501			PAPER NUMBER	
WASHINGTON, DC 20036			2654	

DATE MAILED: 12/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/838,554

Applicant(s)

YAMADA, TOSHIYA

Examiner

Abdelali Serrou

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 21 April 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 8-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 8-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 April 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. In response to the office action from 1/26/2005, the applicant has submitted an amendment, filed on 4/21/2005, canceling claims 1-7, and adding claims 8-15.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 8-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sameth et al. (U S 5,882,202 issued on March 16, 1999) in view of Xun (U.S 2001/0056352 published on Dec. 27, 2001).

4. As per claim 8, Sameth et al. teach:

storage means (memory, col. 3, line 64) adapted to store data base data, including image data (picture, col. 6, line 28), first language data (foreign language, col. 3, line 52), and second language data (familiar language, col. 3, line 60);

an image display processing means adapted to read the data base data from the storage means and to convert the data base data into display data for display on display means as a

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screen, which includes a blowoff frame (dialogue balloons, col. 4, line 45) with the first language data displayed therein (col. 7, lines 7-12).

However, Sameth et al. do not teach an another-language display processing means to determine a position of a mouse pointer on the screen, and when the mouse pointer is positioned, another-language display processing means reads the corresponding second language data from the storage means and displays the second language data on the display means.

Xun in the same field of endeavor does teach:

an another-language display processing means to determine the position of a mouse pointer on the screen ([0111], lines 17-20); and

another-language display processing means reads the corresponding second language data from the storage means and displays the second language data on the display means (col. 7, lines 9-13 and Fig. 9).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to incorporate Xun's feature of detecting the mouse pointer position and displaying the translation of the pointed text (by the mouse pointer) to the system of Sameth et al., because Xun et al. teach that this would not slow down the user's reading by diverting his attention far from the pointed text ([0108]).

Sameth et al. in view of Xun do not specifically teach but suggest positioning a mouse pointer at a blowoff frame. However, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to have the mouse pointer positioning of Xun (col. 7, lines 9-13 and Fig. 9) and apply it on top of the blowoff frame of Sameth et al. (dialogue balloons, col. 4, line 45) to display the translation of the text within the blowoff frame.

5. As per claim 9, Sameth et al. teach displaying the second language data at an optional region of the screen (Fig. 4A, elements 120, 122, 124, and 126).

6. As per claim 10, Sameth et al. teach when the mouse pointer is not positioned at the blowoff frame the another-language display processing means prevents display of the second language data and displays the first language data at the blowoff frame (col. 4, lines 45-47).

7. As per claim 11, Sameth et al. do not teach display processing means for overlaying the first language data with the second language data.

Xun in the same field of endeavor does teach display processing means for overlaying the first language data with the second language data (Fig. 11, element 1102).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to incorporate Xun's feature of overlaying the first language data with the second language data to the system of Sameth et al., because Xun et al. teach that this would not slow down the user's reading by diverting his attention far from the source language text ([0108]).

8. As per claim 12, Sameth et al. do not teach display processing means for displaying the second language data until the mouse pointer is positioned at another blowoff frame.

Xun in the same field of endeavor does teach display processing means for not displaying the second language data until the mouse pointer is appropriately positioned (Figs. 11

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and 13, wherein the translation of the first language data is not displayed until the mouse is positioned at the word “generated” and advanced”, Fig. 11 and Fig. 13, respectively).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to incorporate Xun’s feature of not displaying the second language data until the mouse pointer is positioned at another blowoff frame to the system of Sameth et al., because this would reduces the user’s distraction that might persist if he had to look at the translation of other blowoff frames data.

9. As per claim 13, Sameth et al. do not specifically teach display processing means for displaying the second language data at right space portion of the screen.

Xun in the same field of endeavor suggests display processing means for displaying the second language data at right space portion of the screen (adjacent to the text being translated [0112], line 9, which includes bottom, left or right of the screen).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to incorporate Xun’s feature of displaying the second language data at right space portion of the screen to the system of Sameth et al., because Xun et al. teach this would reduces user-perceptible distraction that might otherwise persist if, for example, the user were required to glance a distance away in order to view the translated text ([0111], lines 12-15).

10. As per claim 14, the functionality of claims 8-13 taught by Sameth et al. in view of Xun et al. is provided by software programs stored in their computer (Fig. 1, element 136).

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11. As per claim 15, Sameth et al. in view of Xun do not specifically teach an information selling system comprising a server device and a terminal device connected to the server through a communication system, the server device being the display language conversion system according to anyone of claims 8-13.

However, the examiner takes Official Notice that an information selling system comprising a language conversion system is well known in the art of information selling over the internet. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have a language conversion system within the information selling system, because this would provide a user-friendly system by letting users speaking different languages to access their target information with their own language.

Conclusion

12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Abdelali Serrou whose telephone number is 571-272-7638. The examiner can normally be reached on 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Talivaldis Smits can be reached on 571-272-7628. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A. Serrou
11/3/2005



RICHEMOND DORVIL
SUPERVISORY PATENT EXAMINER